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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/862,384	05/22/2001	Ramin Farjad-Rad	2789.2017-000	8682
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Sawyer Law (Group		ODOM, C	CURTIS B
P.O.Box Palo Alto, CA	94303		ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).		Application No.	Applicant(s)		
Curis 8. Odom Curis 9. Odom A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. The parties for reply specified above is less than thirty (0) days, a reply within the datatory inhibition of thirty (0) days will be considered timely. If the parties for reply specified above is less than thirty (0) days, a reply within the datatory inhibition of thirty (0) days will be considered timely. If the parties for reply specified above is less than thirty (0) days, a reply within the datatory inhibition of thirty (0) days will be considered timely. If the parties for reply specified above is less than thirty (0) days, a reply within the datatory inhibition of thirty (0) days will be considered timely. If the parties of reply is appointed to reply is appointed to reply in appointed to reply inhibition of the reply inhibition of the parties of the communication, even if timely filed, may reduce any search parties of the communication of the reply inhibition of the days of the communication, even if timely filed, may reduce any search parties of the communication of the reply inhibition of the communication, even if timely filed, may reduce any search parties of the communication of the reply application is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 5-9 (sare pending in the application of the above claim(s) is/are allowed. 5) Claim(s) 5-9 (sare pending in the application and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The day of the above claim(s) is application in the day of the promity documents have been received i		09/862,384			
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estations to time may be available under the provision of 3 CFR 1.13(a). In no event, however, may a raphy be timely filled after SX (5) MONTH(5 from the mailing date of this communication, of 3 CFR 1.13(a). In no event, however, may a raphy be timely filled after SX (6) MONTH(5 from the mailing date of this communication, of 3 CFR 1.13(a). In no event, however, may a raphy be timely filled after SX (6) MONTH(5 from the mailing date of this communication, or 10 from the communication of 3 CFR 1.13(a). In no event, however, may a raphy be timely filled after SX (6) MONTH(5 from the mailing date of this communication (6) MONTH(5 from the mailing date of this communication, or provised by the 50ft) date of this communication. Fallule to reply visible in the star extended period for raphy will, by adults, crease the application to became ARAHOCKED (69 U.S. 5, 133). Any poly provised by the 60ft date than the him there montains due for the communication, event if timely filled, may return a provised by the 60ft date than the himself date the mailing date of this communication, event if timely filled, may return a provised by the star of the mail of the communication, event if timely filled, may return a provised by the star of the communication. 1) □ Responsive to communication(s) filled on 24 January 2005. Status 1) □ Responsive to communication for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) ≤ is slare pending in the application for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) ≤ is slare application for allowance except for formal matters, prosecution as to the merits of the claim	Office Action Summary	Examiner			
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THE MAILING DATE OF THIS COMMUNICATION. Extansions of time may be available under the provisions of 37 CPR 1.136(a). In no event, however, may a reply be timely filled after SX (8) MOXITISE from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory priod visible the statutory minimum of thinty (0) days will be considered timely. If NO period for reply is specified above, the maximum statutory priod visible in the statutory minimum of thinty (0) days will be considered timely. If NO period for reply is specified above, the maximum statutory priod visible in the statutory minimum of thinty (0) days will be considered timely. If NO period for reply is specified above, the maximum statutory priod visible to become ABANDONED (25 U.S. 6. \$ 133). Any reply received by the Office advantage and the priod for reply will, by statute, cause the application to become ABANDONED (25 U.S. 6. \$ 133). Any reply received by the Office and the thint the mailing date of this communication, over if timely filed, may reduce any consideration in the priod of the communication of the communica	The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address		
1)⊠ Responsive to communication(s) filed on 24 January 2005. 2a)□ This action is FINAL. 2b)⊠ This action is non-final. 3]□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)□ Claim(s) 5-2 is/are pending in the application. 4a) of the above claim(s) is/are withdrawn from consideration. 5)□ Claim(s) is/are allowed. 6)□ Claim(s) and 6 is/are rejected. 7)□ Claim(s) are subject to restriction and/or election requirement. Application Papers 9)□ The specification is objected to by the Examiner. 10)☒ The drawing(s) filed on 24 January 2005 is/are: a)☒ accepted or b)□ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)□ All b)□ Some * c)□ None of: 1.□ Certified copies of the priority documents have been received. 2.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-982) 3)□ Information bioclosure Statement(s) (PTO-1449 or PTO/58/08)	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period we Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing	6(a). In no event, however, may a reply be tim within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).		
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s) 5-9 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 Claim(s) is/are allowed. 6 Claim(s) is/are allowed. 6 Claim(s) are subject to restriction and/or election requirement. Application Papers 9 The specification is objected to by the Examiner. 10 The drawing(s) filed on 24 January 2005 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1 Certified copies of the priority documents have been received in Application No 3 Copies of the certified copies of the priority documents have been received in Application No 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1 Notice of References Cited (PTO-892) 2 Notice of Draftspersons Patent Drawing Review (PTO-948) 3 Notice of References Cited (PTO-1449 or PTO/5808)	Status				
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Disposition of Claims 4) □ Claim(s) 5-9 (s/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 24	 , - , , , , , , ,				
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4)	closed in accordance with the practice under E	х рапе Quayle, 1955 С.Д. 11, 45	05 O.G. 215.		
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) <u>5 and 6</u> is/are rejected. 7) □ Claim(s) <u>7-9</u> is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on <u>24 January 2005</u> is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1.□ Certified copies of the priority documents have been received. 2.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) □ Notice of Oraftsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Disposition of Claims				
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Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	10. The drawing(s) filed on 24 January 2005 is/are:	a)⊠ accepted or b)⊡ objected	I to by the Examiner.		
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DETAILED ACTION

Claim Objections

1. Claim 9 is objected to because of the following informalities: The word "swatches" is suggested to be changed to "switches". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 3. Claims 5 and 6 rejected under 35 U.S.C. 102(e) as being anticipated by Grung et al. (U. S. Patent No. 6, 650, 720).

Regarding claim 5, Grung et al. discloses a phase detector (Fig. 3, block 204), comprising:

a sampling clock generator (Fig. 3, block 204, column 3, lines 55-58) which generates a clock at an oversampling rate compared to a data rate of an input sequence;

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a first sampler (Fig. 3, block 204, column 3, lines 58-65) which samples data values (middle samples) of the input sequence;

a second sampler (Fig. 3, block 204, column 3, lines 58-65) which samples edges (edge samples) between the data values; and

a data phase detector (Fig. 3, block 204, column 3, line 58-column 4, lines 8) which determines phase error between data transitions in the input sequence and the sampling clock phases, based on amplitudes (magnitudes) of the sampled edges, the determined phase error being fed into the sampling clock generator to adjust the phase of the sampling clock, wherein the VCO (Fig. 3, block 212) adjusts the phase of the sampling clock (column 3, lines 35-42).

Regarding claim 6, which inherits the limitations of claim 5, Grung et al. discloses the phase error is proportional to an amplitude (magnitude) of a sampled edge (column 3, line 66-column 4, line 8).

Allowable Subject Matter

4. Claims 7-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Curtis B. Odom whose telephone number is 571-272-3046. The examiner can normally be reached on Monday- Friday, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Curtis Odom May 4, 2005

STEPHEN CHIN

SUPERVISORY PATENT EXAMINE TECHNOLOGY CENTER 2800

Applicant(s)/Patent Under Application/Control No. Reexamination 09/862,384 FARJAD-RAD, RAMIN Notice of References Cited Art Unit Examiner Page 1 of 1 2634 Curtis B. Odom

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
-	Α	US-6,650,720	11-2003	Grung et al.	375/375
	В	US-			
	С	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	Н	US-			
	ı	US-			
	J	US-			
	К	US-			
	L	US-			
	М	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N			-		
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).) Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.